

Patent
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REMARKS

Claim Rejections

Claims 1-4, 7, 10, 11, 14, 17, 20, 21, 24, 25, 26 and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Benavidez (US 6,014,833) in view of Wallace (US 6,269,587).

Claims 5, 9, 23 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Benavidez (US 6,014,833).

Claims 12, 13, 14 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Benavidez in view of Reichel (US 5,163,694).

Claims 18, 19 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Benavidez in view of Wallace (US 6,269,587).

Patentability of Claims as Amended

Claims 1, 12, 24, and 28 have been amended to emphasize the patentable nature of the present invention. More particularly, claim 1 now includes a “pair of opposing gripping apertures or indentions ... each being suitably shaped and oriented for hand gripping at or near respective opposing edges of the support member” (emphasis added). In each of claims 12, 24, and 28, the “fish container” and “first bait container” are both characterized as being “equipped with one or more apertures for passage of ambient water therethrough.”

It is respectfully submitted that these amendments place all remaining claims in condition for allowance. In respect of claim 1, there is no teaching in the art of such gripping apertures or indentations that are “suitably shaped and oriented” and “opposing” as is claimed. This feature, which provides (for example) the utility of using the claimed fishing apparatus to pull oneself upwardly from a submerged position while fishing (see *Applicant's Specification*, page 2, last para.), is simply not taught or suggested by the cited art.

As for claims 12, 24, and 28, there is a similar failing in the cited art to disclose two containers having “apertures for passage of ambient water therethrough,” and therefore exhibits the

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utility (for example) of providing fresh water to both live fish and live bait. The cited art, at best, discloses only one container that permits the passage of ambient water.

Conclusion

It therefore follows that the present obviousness rejections are not supportable, particularly with respect to the claims as presently amended. Reconsideration and withdrawal of these rejections are respectfully requested.

In the event there are additional charges in connection with the filing of this Response, the Commissioner is hereby authorized to charge the Deposit Account No. 50-0714/CORA/0002 of the firm of the below-signed attorney in the amount of any necessary fee.

Respectfully submitted,



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